



- Image 1636  
PTO/SB/21 (08-03)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/088,699
		Filing Date	March 18, 2002
		First Named Inventor	NISHIMOTO, Ikuo
		Art Unit	1636
		Examiner Name	David A. Lambertson
Total Number of Pages in This Submission		Attorney Docket Number	082376-000000US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Harrison F. Dillon Reg. No. 45,661
Signature	
Date	November 3, 2003

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Harrison F. Dillon		
Signature		Date	November 3, 2003



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PATENT  
Attorney Docket No.: 082376-000000US

Assistant Commissioner for Patents  
Washington, D.C. 20231

On 11/3/03

TOWNSEND and TOWNSEND and CREW LLP

By: Harrison Dillon

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

IKUO NISHIMOTO

Application No.: 10/088,699

Filed: June 14, 2002

For: METHOD OF SCREENING  
DISEASE DEPRESSANT GENE

Examiner: Peter Brunovskis, Ph.D.

Art Unit: 1623

**RESPONSE TO RESTRICTION  
REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the restriction requirement mailed October 3, 2003, please enter and consider the following.

**REMARKS**

Claims 1-13 are pending in the present application. The Examiner has requested that the Applicants elect one group under 35 USC §121 as follows:

I. Claims 1, 2, 4-8, and 10-13 drawn to a method of screening the suppressive effects of a nucleic acid on a disorder that accompanies cell death.

II. Claim 1, 3-7 and 9-13, drawn to a method of screening the suppressive effects of a protein on a disorder that accompanies cell death.